

Attorney's Docket No.:
069547.0193

PATENT APPLICATION

1

TRANSMITTAL FOR U.S. PATENT APPLICATION
UNDER 37 C.F.R. § 1.53(b)

Mail Stop Patent Application

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing is the original patent application of:

Inventors: Joseph M. Asher et al.

Filing Date: April 1, 2004

For: ELECTRONIC SILENT AUCTION SYSTEM AND METHOD

Pursuant to 37 C.F.R. § 1.213(a), Applicants respectfully request that the above-identified patent application not be published under 35 U.S.C. § 122(b). Applicants hereby certify that the invention disclosed in the above-identified application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Enclosed are:

- ☒ Specification, Claims and Abstract (32 pages)
- ☒ Drawing(s) (2 Sheets of Formal)
- ☒ Non-Publication Request (1 page)
- ☒ Signed Combined Declaration and Power of Attorney (4 total pages)
 - ☒ Newly executed (original)
- ☒ An Assignment of the invention to eSpeed, Inc. (3 pages) is attached. A separate cover sheet (2 pages) in compliance with 37 C.F.R. § 3.28 and § 3.31 is included with an Assignment recordal fee of \$40.00 pursuant to 37 C.F.R. § 1.21(h).
- ☒ Information Disclosure Statement (2 pages) and PTO Form 1449 (1 page)
- ☒ This Transmittal (2 pages)
- ☒ Certificate of Mailing (1 page)
- ☒ Return Receipt Postcard

_____ Verified Statement (_____ page)

Applicant is:

☒ Large Entity
_____ Small Entity

The accompanying application is:

☒ Original
_____ Continuation _____ Divisional _____ Continuation-In-Part


FEE CALCULATION (LARGE ENTITY)					FEE
	Number		Number Extra	Rate	<u>Basic Fee</u> \$ 770.00
Total Claims:	37	-20 =	17	X \$ 18.00	\$ 306.00
Independent Claims	4	- 3 =	1	X \$ 86.00	\$ 86.00
TOTAL FILING FEE =					\$ 1,162.00

☒ Enclosed is a check in the amount of \$1,162.00 for fees.

☒ Please charge any additional fees required by this paper to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants



Samir A. Bhavsar
Reg. No. 41,617

Dated: April 1, 2004

Correspondence Address:
2001 Ross Avenue, Suite 600
Dallas, TX 75201-2980
Tel. 214.953.6581

Customer No. **05073**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Joseph M. Asher et al.
Date Filed: April 1, 2004
For: ELECTRONIC SILENT AUCTION SYSTEM AND METHOD

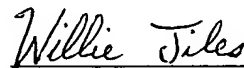
MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Patent Application (32 pages, including Specification, Claims, and Abstract), 2 sheets of Formal Drawings, Nonpublication Request (1 page), executed Declaration and Power of Attorney (4 pages), Assignment (3 pages), Assignment Recordation Sheet (2 pages), Information Disclosure Statement (2 pages), PTO Form 1449 (1 page), a check in the amount of \$1,162.00 for the application filing fees, a check in the amount of \$40.00 for the Assignment recordation, Application Transmittal (2 pages), this Certificate of Mailing (1 page), and a Baker Botts acknowledgment postcard (1 card) are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 1st day of April 2004 and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



Willie Jiles

Express Mail Receipt
No. EV 324644215 US
Attorney Docket No. 069547.0193

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Joseph M. Asher et al.
	Title	ELECTRONIC SILENT AUCTION SYSTEM AND METHOD
	Atty Docket Number	069547.0193

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

BAKER BOTTS L.L.P.
Attorneys for Applicants

April 1, 2004


Signature

Samir A. Bhavsar
Reg No. 41,617

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicants may rescind this nonpublication request at any time. If applicants rescind a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicants subsequently file an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicants must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.